IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 210 OF 2005

SHRI ANTONIO V.D'ASSUMCAO FERNANDES(SIN.DEC.)REP.B ....Applicant

Versus

ANTONIO CARLOS DO ROSARIO FERNADNES AND 11 ORS., ...Respondents

Shri A.F. Diniz, Advocate for the Applicants.
Mr.C.A.Coutinho, Advocate for R.2 & 3

Coram:- R. M. LODHA, J.

Date:- 14th October, 2005

P.C.:

After having heard the learned counsel for the parties, I am satisfied that the application may be disposed of by the following Order :-

(i) The roof of the hall of the suit house as mentioned in the application is permitted to be repaired by the applicants at their cost.

(ii) For the purpose of the repairs of the roof of the hall, the respondents No.2 and 3 shall provide the access to the applicants and/or their agents.

(iii) It is made clear that the entire cost of the repairs shall be borne by the applicants and no reimbursement shall be claimed from the respondents No.2 and 3 irrespective of any result in the Second Appeal nor shall such repairs being carried out by the applicants create equity in favour of the applicants.

(iv) The repairs shall be carried out within three months freom today.

Order accordingly.

Civil Application stands disposed of.

R. M. LODHA, J.

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